

09-27-01

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U.S. PTO10/92/01  
995702Please type a plus sign (+) inside this box  +PTO/SB/05 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	A01020B
First Inventor	Subba Reddy Palli et al.
Title	Novel Ecdysone Receptor-Based Inducible Gene...
Express Mail Label No.	EF385423031US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 94]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U. S. C. 113) [ Total Sheets 8 ]
5. Oath or Declaration [ Total Pages ]
- a.  Newly executed (original or copy)
- b.  Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
- i.  **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper
  - c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))
10.  37 CFR 3.73(b) Statement  Power of  
(when there is an assignee)  Attorney
11.  English Translation Document (if applicable)
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS  
Statement
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16.  Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17.  Other: Unsigned Decl-POA & CRF/Paper Copy Sequence Listing (84 pages)  
Seq. Cert. (1 page)

18. If a CONTINUATING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation  Divisional  Continuation-in-part(CIP)

of prior application No.: PCT/US01/09050

Prior application information:

Examiner \_\_\_\_\_

Group Art Unit \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19 CORRESPONDENCE ADDRESS**

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	<small>(Insert Customer Number or bar code label here)</small>		<input type="checkbox"/> or <input type="checkbox"/> Correspondence address below
Name			
	21898		
Address	PATENT TRADEMARK OFFICE		
City	State	Zip Code	
Country	Telephone	Fax	

Name (Print/Type)	Rachel H. Rondinelli, Ph.D.	Registration No. (Attorney/Agent)	45,052
Signature			Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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# **FEE TRANSMITTAL**

## **for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1878)

METHOD OF PAYMENT					FEE CALCULATION (continued)																																																																																																																																																																																																				
<p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <b>18-1850</b></p> <p>Deposit Account Name <b>Rohm and Haas Company</b></p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>					<p><b>3. ADDITIONAL FEES</b></p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th colspan="3">Fee Description</th> <th>Fee Paid</th> </tr> <tr> <th>105</th> <th>130</th> <th>205</th> <th>65</th> <th></th> <th></th> </tr> </thead> <tbody> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>Non-English specification</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Request for oral hearing</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Design issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Plant issue fee</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td><td></td></tr> <tr> <td colspan="5">* Reduced by Basic Filing Fee Paid</td> <td><b>SUBTOTAL (3) (\$ 0)</b></td> </tr> </tbody> </table>					Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description			Fee Paid	105	130	205	65			127	50	227	25	Surcharge - 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<p><b>2. PAYMENT ENCLOSED:</b></p> <p><input type="checkbox"/> Check    <input type="checkbox"/> Credit card    <input type="checkbox"/> Money Order    <input type="checkbox"/> Other</p> <p><b>FEE CALCULATION</b></p> <p><b>1. BASIC FILING FEE</b></p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th colspan="3">Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>710</td><td>201</td><td>355</td><td>Utility filing fee</td><td>710</td></tr> <tr><td>106</td><td>320</td><td>206</td><td>160</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>490</td><td>207</td><td>245</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>710</td><td>208</td><td>355</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td></td></tr> </tbody> </table> <p><b>SUBTOTAL(1) (\$ 710)</b></p> <p><b>2. EXTRA CLAIM FEES</b></p> <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Independent Claims</th> <th>Multiple Dependent</th> <th>Extra Claims</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>36</td><td>-20** =</td><td></td><td>16</td><td>X 18 =</td><td>288</td></tr> <tr><td>14</td><td>- 3** =</td><td></td><td>11</td><td>X 80 =</td><td>880</td></tr> <tr><td></td><td></td><td></td><td></td><td>270 =</td><td>0</td></tr> </tbody> </table> <p><b>Large Entity Small Entity</b></p> <table border="1"> <thead> <tr> <th>Fee Code (\$)</th> <th>Fee Code (\$)</th> <th colspan="3">Fee Description</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim, if not paid</td></tr> <tr><td>109</td><td>80</td><td>209</td><td>40</td><td>**Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table> <p><b>SUBTOTAL (2) (\$ 1168)</b></p>					Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description			Fee Paid	101	710	201	355	Utility filing fee	710	106	320	206	160	Design filing fee		107	490	207	245	Plant filing fee		108	710	208	355	Reissue filing fee		114	150	214	75	Provisional filing fee		Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid	36	-20** =		16	X 18 =	288	14	- 3** =		11	X 80 =	880					270 =	0	Fee Code (\$)	Fee Code (\$)	Fee Description			103	18	203	9	Claims in excess of 20	102	80	202	40	Independent claims in excess of 3	104	270	204	135	Multiple dependent claim, if not paid	109	80	209	40	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																											
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*\*or number previously paid, if greater. For Reissues, see above*

SUBMITTED BY		Complete (if applicable)		
Name (Print/Type)	Rachel H. Rondinelli, Ph.D.	Registration No. (Attorney/Agent)	45,052	Telephone
Signature			Date	September 26, 2001

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will very depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket Number: A01020B  
RHR:bk

In re application of:  
Subba Reddy Palli et al.

Serial No: not yet assigned : Group Art Unit: not yet assigned

Filed: Herewith : Examiner: not yet assigned

For: **NOVEL ECDYSONE RECEPTOR-BASED INDUCIBLE GENE EXPRESSION SYSTEM**

BOX: Patent Application  
Assistant Commissioner of Patents  
Washington, DC 20231

**SUBMISSION OF "SEQUENCE LISTING"****CERTIFICATE OF EXPRESS MAILING**

Sir:

I hereby certify that the following correspondence is being deposited with the U.S. Postal Service as express mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on the date indicated next to my signature below. Submitted herewith is a copy of each "Sequence Listing" submitted for this application in computer readable form, in accordance with the requirements of 37 C.F.R. §§ 1.821(e) and 1.824.

Utility Patent Application Transmittal Letter  
Fee Sheet (in duplicate)

Non-Provisional Application with Drawings (19 figures, 8 pages)  
Hard copy Sequence Listing ( 84 Pages) & CRF Diskette of Sequence Listing  
CRF Certification (1 page)  
"Unsigned Declaration/Power of Attorney"  
Return Receipt Postcard

September 26, 2001  
Date

Becky Knauth  
Signature

**U.S. Postal Service Express Mail Label No. EF385423031US**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US Non-Provisional Application: Filed Concurrently Herewith  
Filing Date: September 26, 2001  
Inventors: Subba Reddy Palli et al.  
Attorney Docket Number: A01020B

Title: Novel Ecdysone Receptor-Based Inducible Gene Expression System

To: Assistant Commissioner of Patents  
Washington, D.C. 20231

Certification Under 37 CFR 1.10

EF385423031US  
"Express Mail" mailing number

September 26, 2001

Date of Deposit

I hereby certify that this paper and any accompanying papers is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Becky Knauth  
(Typed or printed name of person mailing paper)

Becky Knauth  
(Signature of person mailing paper)

Dear Sir,

Please find enclosed a written sequence listing (paper copy) of the PatentIn 3.1 Sequence Listing filed together with the above-referenced application and a computer readable form (CRF) of this written sequence listing. I certify that the information recorded on the form is identical to the written sequence listing.

Respectfully submitted,

ROHM AND HAAS COMPANY  
Patent Department  
100 Independence Mall West  
Philadelphia, PA 19106-2399



Rachel H. Rondinelli, Ph.D.  
Agent for Applicants  
Registration No. 45,052

Dated: September 26, 2001